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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 08/904,860 | 08/01/1997 | HIROKAZU OHI | 1232-4367 | 4593 |
| 7590 | 04/24/2006 | | EXAMINER | |
| CHRISTOPHER E CHALSEN MORGAN AND FINNEGAN 345 PARK AVENUE NEW YORK, NY 10154 | | | DINH, DUNG C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2153 | |

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 08/904,860 | OHI ET AL. | |
| | Examiner | Art Unit | |
| | Dung Dinh | 2153 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 February 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20,23,30,31 and 47-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-20 and 47-52 is/are allowed.
- 6) Claim(s) 23,30,31 and 53-57 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/7/06.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 2/3/06 have been fully considered.

Applicant argument regarding independent claims 1 and 11 is persuasive. The rejection of claims 1-20, 47-49 and 50-52 is withdrawn.

Regarding independent claims 23, 30 and 31, Applicant argued that the prior art does not teach providing different HTML pages based on whether the control parameter is within allowable range. The argument is not persuasive because providing a separate HTML page for error message is well known in the art at the time of the invention. Goldberg is a web based system for controlling a robot arm. Hence, providing a web page by the server to alert a user of an invalid request would have been obvious to one of ordinary skill in the art. Regarding Blackshear and WebCam+, WebCam+ provided motivation to modify Blackshear to operate over the Internet via web server. Hence, providing error in form of a HTML page in Blackshear as modified would have been obvious to one of ordinary skill in the art.

In view of the amendment, the rejection based on Blacksear, WebCAM+ and Niwa is deemed cumulative; hence it is not repeated

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in this office action. Only the Goldberg rejection is reinstated in this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 23, 30-31, 53-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg et al. "Beyond the Web: Excavating the Real World via Mosaic" and further in view of Karaeve et al US patent 5,802,518.

As per claim 23, Goldberg teaches a server controlling a camera in accordance to request from a remote client and transmitting image obtained by the camera to the remote client based on communication rule of a general network, comprising:

an acquisition unit for acquiring information indicating service allowable range (apparent from p.6 "On server C, ... verifies that the command is legal, e.g. within the robot

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workspace.") of control parameter including pan (x,y coordinates),
tilt (Z-axis);

a reception unit for receiving the control parameter (see
page 5, Server A - HTTPD Server);

generating unit for generating HTML document (p.212 fig.2
Server A - Dynamic document script);

transfer unit [HTTD Server] for transferring HTML document
generated by the generation unit to the client.

wherein the transfer means transfer the image information
with information indicating of a service allowable range of the
camera (see page 3, the schematic picture of the robot workspace
showing allowable range within which the robot arm can move to).

Goldberg teaches checking the robot command parameter from
the user is legal (within the workspace of the robot (see page
6)). Goldberg does not specifically disclose generating an HTML
page including a predetermined text data when the parameter is not
within allowable range and generating HTML document without the
predetermined text when the parameter is within allowable range.
However, providing HTML document with predetermined text data
(e.g. an error message) when parameter submitted by a user is
invalid is well known in the art. In similar field of web
service, Karaeve teaches generating HTML page using an error
template when a request from a user is not permitted and provides

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HTML page with requested content when the request is permitted (see col.37 lines 40-54). Hence, it would have been obvious for one of ordinary skill in the art to include predetermined text (such as an error message) in the return HTML page when the parameter submitted is outside the allowable range of the robot because it would have provided notification to the user that he had submitted an invalid request. It is obvious that one of ordinary skill would not include the predetermined text (e.g. an error message) if the parameter was within allowable range. To do otherwise would have confused the user.

As per claims 53, it is apparent that Goldberg as modified would include text indicating the parameter that was outside allowable range. It would have been obvious for one of ordinary skill in the art to do so because it would have alerted the user to the invalid parameter.

As per claim 54, the references do not specifically disclose including text notifying the user the parameter is changed to be within allowable range. However, Goldberg teaches auto reset the robot when an error occurred (see p.11 "Robustness and soft reset"). Hence, it would have been obvious for one of ordinary skill in the art to include text indicating the corrected or current parameter of the device so that the user is provided with current information about the device.

As per claim 55, Goldberg teaches displaying input frame image including control parameter (figure on page 3 - the robot arm diagram and X,Y,Z coordinate values) to be received by the server, wherein the generation unit generates the HTML document to be used for client to display camera information frame together with the input frame (figure on page 3, p.6 "... server A, which updates the most recent image and return to the Operator client.")

As per claim 56, Goldberg teaches, in case the parameter is within allowable range, generating HTML document including link information to an image file acquired by the controlling camera in accordance with the received control parameter. (see p.6 "camera image ... compressed ... into GIF and return to server A.").

As per claim 57, Goldberg teaches to reset the robot and return to previous position in case of error. Hence, it is apparent that the HTML document would have shown the robot in the corrected position.

As per claims 30 and 31, they are rejected under similar rationale as for claim 23 above.

Allowable Subject Matter

Claims 1-20, 47-49, 50-52 are allowable over the prior art.

The prior art does not teach nor reasonably suggest the method as claimed including excluding the generated characters corresponding to the control information from being displayed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (571) 272-3943. The examiner can normally be reached on Monday-Friday from 7:00 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (571) 272-3949.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dung Dinh
Primary Examiner
April 19, 2006